REMARKS

Claims 1-34 remain pending in the present application. Claims 1-34 stand rejected by the Office Action dated March 4, 2005. Assignee respectfully traverses herein the rejections of claims 1-34.

Drawings

The drawings were objected to because of an alleged misspelling in module 46 of figures 2 and 3. Assignee respectfully requests clarification of this objection. Module 46 of FIGS. 2 and 3 recite a "SEARCHABLE INDEX." It is unclear where the misspelling is alleged to occur, since Assignee respectfully asserts that "searchable" and "index" are both spelled correctly. Assignee therefore submits that this objection should be withdrawn, or clarified to point out the misspelling.

Claim Rejections

Claims 1-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,252,947 issued to Diamond *et al.* (hereinafter "Diamond"). Assignee traverses these rejections.

a. Claim 1

Claim 1 recites a method for, in combination with its other limitations, supplying voice applications that provide telephony services to users, receiving voice application data, storing the voice application data in a database in accordance with a taxonomy, receiving a request for a voice application associated with the voice application data and retrieving a location associated with the voice application from the database, wherein the voice application located at the retrieved location data is used to perform the user-requested telephony service.

Assignee respectfully disagrees with the Office Action that the Diamond reference discloses claim 1. The Diamond reference discloses voice data segments that are stored and indexed such that they can be later retrieved and played back to a user on a workstation upon making a request (see, e.g., Diamond's Summary of the Invention). Assignee respectfully asserts that audio data segments are not voice applications. As understood by those skilled in the art, an

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"application" comprises more than mere data. Specific non-limiting examples of voice applications included within the present application are restaurant finding applications and phone book applications, which are more than mere audio recordings.

Moreover, Assignee respectfully asserts that the Diamond reference does not disclose that the received request is part of a request by the user to receive a telephony service. Instead Diamond discloses that workstations (computers) are used "to submit requests to search and retrieve recorded calls for playback," disclosed at col. 5, lines 6-10, and that the system is part of a "telephone call monitoring system," see, e.g., Background.

Further, Assignee respectfully asserts that the storage mechanism of Diamond does not comprise storing voice application data according to a taxonomy. Taxonomy implies a classification structure whereby multiple voice applications can be searched according to search criteria. While Diamond may disclose a call record generator that generates a master call record which comprises called party number, calling party number, trunk and channel ID, date, time, agent ID (see, e.g., col. 7, lines 12-16), these are only records of calls and not of voice applications as required by claim 1. Thus, Assignee respectfully asserts that the storage system of Diamond does not comprise a taxonomy of voice applications as required by claim 1. Accordingly, Assignee requests reconsideration and allowance of claim 1.

b. Claim 2

Assignee respectfully asserts that claim 2 is allowable for at least the reason that it depends from independent claim 1, which is allowable over the cited reference. Claim 2 also includes further limitations that are allowable over the cited reference. For example, claim 2 recites that the voice application data includes operational requirement data. The Office Action asserts that the claimed voice application is disclosed in Diamond by "a voice data segment" (Office Action, paragraph 4). However, voice data segments do not include operational requirement data.

Claim 2 also recites that the system receives telephony server attribute data for a telephony server being used by the user to interface to a database, and retrieving location data from the data base for a voice application that matches the operational requirement data and telephony server attribute data. While Diamond may show recording, retrieval and playback of voice data segments (Col. 3, lines 21-33), Diamond does not show that the operational

requirement data and the telephony server attribute data match the voice data segments. Rather Diamond shows that the retrieved voice data segments match a search criteria, such as a time segment, called party, calling party, etc. (Col. 7, lines 14-22). None of these can be construed to be operational requirement data or telephony server attribute data. Hence, claim 2 is allowable for this additional reason.

c. Claim 3

Assignee respectfully asserts that claim 3 is allowable for at least the reason that it depends upon independent claim 1, which is allowable over the cited reference. Claim 3 also recites that the voice application data includes voice markup language data indicating the type of voice markup language used in the voice applications. Diamond does not make any reference to a voice markup language. Therefore, Diamond cannot be construed to show retrieving a voice application whose voice markup language substantially satisfies the search criteria. Hence, claim 3 is allowable for this additional reason.

d. Claim 4

Assignee respectfully asserts that claim 4 is allowable for at least the reason that it depends upon independent claim 1. Claim 4 also notes that the voice application data includes speech engine requirement data and telephony server attribute data which can be used to determine whether the speech engine requirement satisfies the telephony server attribute data. Diamond does not refer to speech engines. Hence, claim 4 is allowable for this additional reason.

e. Claim 5

Assignee respectfully asserts that claim 5 is allowable for at least the reason that it depends upon independent claim 1. Claim 5 further limits claim 1 in that the voice applications are VoiceXML applications. Diamond does not make a single reference to VoiceXML. Thus, Diamond cannot disclose a VoiceXML application. Hence, claim 5 is allowable for this additional reason.

f. Claim 10

Assignee respectfully asserts that claim 10 is allowable for at least the reason that it depends upon independent claim 1. Claim 10 further limits claim 1 in that the taxonomy includes classifications including speech engine resources, required telephony services, required

telephony markup language, or required application server environment, and combinations thereof. Diamond does not make reference to any of these classifications as being among the metadata associated with the voice data segments (Col. 7, line 14-18). Hence, claim 10 is allowable for this additional reason.

g. **Claim 11**

Assignee respectfully asserts that claim 11 is allowable for at least the reason that it depends upon independent claim 1. Claim 11 also notes that the request is received via a telephony server that is connected to the user. Diamond refers to telephony servers with regards to converting CTI Server information into a common normalized format (see, e.g., Col. 7, line 40 through Col. 8, line 3). Thus, the telephony services provided by Diamond is not related to a voice application request. Hence, claim 11 is allowable for this additional reason.

h. **Claim 12**

Assignee respectfully asserts that claim 12 is allowable for at least the reason that it depends upon independent claim 1. Claim 12 further limits claim 1 in that the search criteria of the request includes the nature of the telephony service requested by the user. Diamond does not disclose that search criteria of a request include the nature of the telephony service requested by the user. Hence, claim 12 is allowable for this additional reason.

i. **Claim 20**

Claim 20 recites a voice application indexing system for supplying voice applications for providing telephony services to users. The indexing system includes a voice application data structure containing voice application data including location information for locating the voice applications on the network. The indexing system further includes a database for storing voice application data in a predetermined taxonomy, as well as a database engine for executing requests for voice applications that are based on a request from a user for a particular telephony service.

Diamond does not disclose a voice application. Rather, Diamond discloses voice data segments that are stored and indexed such that they can be later retrieved and played back to a user on a workstation upon request (see, e.g., Summary of the Invention). Assignee respectfully asserts that audio data segments are not voice applications. As understood by those skilled in the art, an "application" comprises more than mere data.
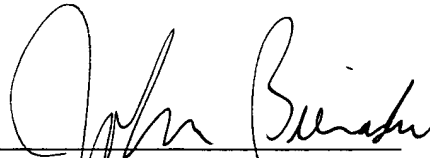
Assignee also respectfully asserts that the Diamond reference does not disclose that the received request is part of a request by the user to receive a telephony service. Instead Diamond discloses that workstations (computers) are used "to submit requests to search and retrieve recorded calls for playback," as disclosed at col. 5, lines 6-10, and that the system is part of a "telephone call monitoring system," see, e.g., Background.

Further, Assignee respectfully asserts that the storage mechanism of Diamond does not comprise storing voice application data according to a taxonomy. Taxonomy implies a classification structure whereby multiple voice applications can be searched according to search criteria. While Diamond may disclose a call record generator that generates a master call record which comprises called party number, calling party number, trunk and channel ID, date, time, agent ID (see, e.g., col. 7, lines 12-16), these are only records of calls and not of voice applications as required by claim 20. Thus, Assignee respectfully asserts that the storage system of Diamond does not comprise a taxonomy of voice applications as required by claim 20. Accordingly, Assignee requests reconsideration and allowance of claim 20.

CONCLUSION

To the extent that there are any remaining issues in this application, the undersigned invites the Examiner to conduct a telephonic interview to resolve such issues. If not, the Assignee respectfully requests allowance of the pending claims.

Respectfully submitted,

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